

REMARKS/ARGUMENTS

The Examiner states that the inventions of Groups II and I are related as process of making and product made under M.P.E.P. § 806.05(f) and the product, as claimed, can be made a materially different process, such as powder metallurgy.

However, the Examiner has presented no reasons to support the position that powder metallurgy may be used to produce the product of Group I. In fact, it can be argued that powder metallurgy may be considered a process for producing only the alloy, which is then used in manufacturing the piston by the casting and cutting steps of the claims of Group II. Therefore, it is submitted that a materially different process for producing the product of Group I has not been set forth by the Examiner and it is requested that the claims of Group I and II be rejoined and examined in the present application.

Further, if the claims of Group I are ultimately found allowable, it is requested that the claims of Group II be rejoined under M.P.E.P. § 821.04 and allowed in the present application, also.

Accordingly, for the reasons presented above, it is submitted that the Patent and Trademark Office has failed to meet the burden necessary to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220



Roland E. Martin  
Registration No. 48,082